

REMARKS

Claims 1-62 and 64-85 remain in the application with claims 1, 15, 16, 35-41, 43, 45, 51, 52, 59, 61, 68, 74, 77, 78, 80, 82, and 83 having been amended hereby.

Reconsideration is respectfully requested of the rejection of claims 1, 14-16, 29, 32, and 35-39 under 35 USC 102(e) as being anticipated by Oh et al.

The present invention relates to a data recording medium that has, for example, work data recorded thereon and identification information also recorded thereon. The identification information identifies an individual recording medium. Discrimination information indicating the presence/absence of the identification information is also recorded. Different identification information is recorded on each of a plurality of recording mediums, even though the digital data stored in the plurality of recording mediums is the same.

On the other hand, Oh et al. relates to a hybrid disk in which identification information is used to verify whether the disk is a hybrid or not. If an original hybrid disk is copied in the Oh et al. system, the duplicate also has the same identification information as that of the original.

On the other hand, in the embodiment of the present invention, as described in the specification and as set forth in the amended claims, the discrimination information is used

to discriminate whether or not the recording medium is a recording medium such that second digital data of the different recording format from that of the first digital data is added to the first digital data. The identification information is used to determine whether reproduction of the data of the new format can be allowed or not. Even though a medium has two digital datas of different recording formats, reproduction of data of the new format can be prohibited in case the medium does not have the correct identification information. That identification information identifies the individual recording medium.

Oh et al. is completely silent concerning this feature of the present invention and only relates to providing identification information to determine whether or not the disc is a hybrid.

Accordingly, it is respectfully submitted that Oh et al. does not anticipate the present invention.

Reconsideration is respectfully requested of the rejection of claims 2-4 and 17-19 under 35 USC 103, as being unpatentable over Oh et al. in view of so-called common knowledge in the art.

Claims 2-4 depend from claim 1 and claims 17-19 depend from independent claim 15, which independent claims are thought to be patentably distinct over the cited reference for at least the above stated reasons. Therefore, for at least those very

same reasons claims 2-4 and 17-19 are also submitted to be patentably distinct thereover.

Notice is respectfully taken of the allowance of claims 40-85. These claims have been amended hereby to more clearly and accurately recite the identification information as being identification information for identifying an individual recording medium. It is respectfully submitted that such amendments do not alter the allowability of claims 40-85.

Notice is respectfully taken of the indication that claims 5-12, 20-28, 30, 31, 33, and 34 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claim.

As stated hereinabove, the amended independent claims are now thought to be patentably distinct over the cited references and, therefore, it is respectfully submitted that the objected-to claims are nonetheless patentable in their dependent form.

Accordingly, in view of the amendments made to the claims hereby, as well as the above remarks, it is respectfully submitted that a data recording medium and corresponding method and apparatus in which the identification information identifies an individual recording medium, as taught by the present invention and as recited in the amended claims, is neither shown nor suggested in the cited references.

The reference cited as of interest has been reviewed and

is not seen to show or suggest the present invention as recited in the amended claims.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

COOPER & DUNHAM LLP

A handwritten signature in dark ink, appearing to read "Jay H. Maioli", is written over the printed name.

Jay H. Maioli

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JHM:tb